

CITY OF NEWPORT BEACH
PLANNING COMMISSION STAFF REPORT

June 7, 2012 Meeting

Agenda Item No. 3

SUBJECT: Coast Business Center Sign Program (PA2012-010)
2121 East Coast Highway
▪ Modification Permit No. MD2012-004
▪ Comprehensive Sign Program No. CS2007-002

APPLICANT: Coast Business Center

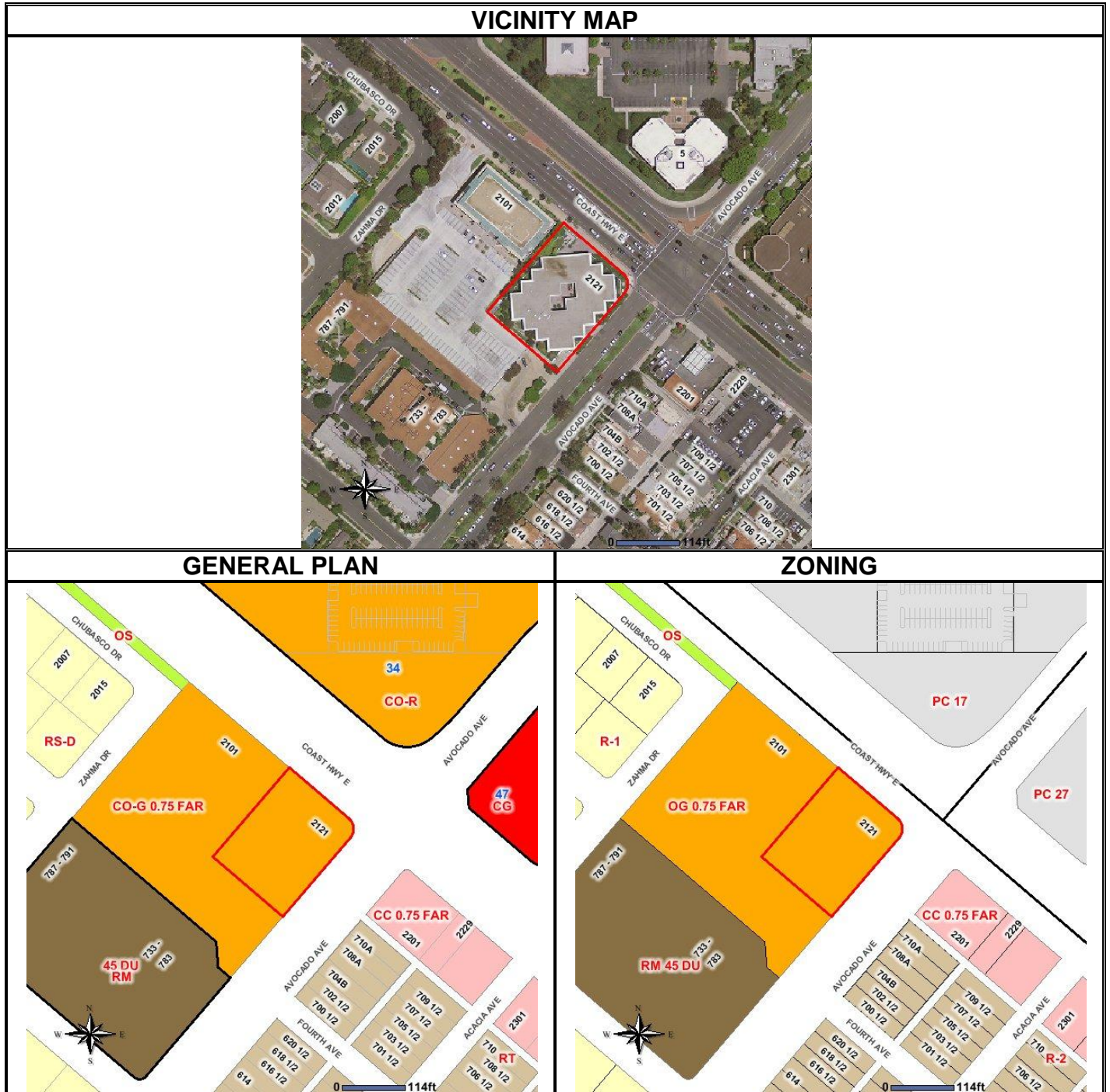
PLANNER: Gregg Ramirez, Senior Planner
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PROJECT SUMMARY

An appeal of the Zoning Administrator's decision to approve Modification Permit No. MD2012-004 and to amend Comprehensive Sign Program No. CS2007-002. Approval of the project would allow the addition of two signs on the southeast (Avocado Avenue) elevation of the building located at 2121 East Coast Highway that cumulatively (60 square feet) exceed the maximum sign area for secondary frontage signs (37.5 square feet).

RECOMMENDATION

- 1) Conduct a de novo public hearing; and
- 2) Uphold or reverse the decision of the Zoning Administrator and adopt Resolution No. ____ (Attachment No. PC 1 or PC 2) for Modification Permit No. MD2012-004 and to amend Comprehensive Sign Program No. CS2007-002.



LOCATION	GENERAL PLAN	ZONING	CURRENT USE
ON-SITE	General Commercial Office	Office General	Commercial
NORTH	Regional Commercial Office & General Commercial	PC 17 (Corporate Plaza) & PC 27 (Newport Village)	Commercial
SOUTH	General Commercial Office	Office General	Commercial
EAST	Corridor Commercial & Two-Unit Residential	Two-Unit Residential	Commercial & Residential
WEST	General Commercial Office	Office General	Commercial

DISCUSSION

Background

The property is developed with a 35,298-square-foot two-story multi-tenant office building that has multiple fascia elements. The adjacent properties are all commercial except for the residential properties located across Avocado Avenue to the east.

Site signage is currently regulated by an existing comprehensive sign program approved in 2007(CS2007-002) which allows wall signs on the first and second floor fascias facing East Coast Highway and Avocado Avenue and a freestanding monument sign located along East Coast Highway. The sign program was established to allow individual tenants to utilize wall signage and the sign size is based on the width of the fascia they occupy.

Sign Code Standards

The Sign Code allows one wall sign per primary building tenant or per tenant frontage. Each sign is allowed a maximum area of 1.5 times the linear building or tenant frontage with a maximum of 75 square feet maximum in sign area on the primary frontage and 50% of the allowed area of a primary frontage sign for any secondary frontage sign. In practice, this results in office buildings, either single or multi-tenant, being allowed to have only one 75 square foot sign. A multi-tenant retail center with the same linear frontage would be allowed multiple signs based on tenant frontage that can total over 75 square feet. The subject office building, with an approximate 170 foot primary building frontage and a 130 foot secondary building frontage, would be allowed a 75 square foot primary frontage sign and a 37.5 square foot (50% of allowed primary sign) secondary frontage sign per Code. A four tenant multi-tenant retail building with the same 170 square foot primary frontage could have four primary frontage signs totaling 255 square feet (170 x 1.5).

Due to variations of building design and tenant mixes, the Zoning Code provides a process to deviate from the standards. Deviations to the number of signs and sign area (up to 30%) are allowed with the approval of comprehensive sign program. Greater deviations to sign area require approval of a modification permit. There are also multiple situations where comprehensive sign programs are required by Code.

Project Signage

East Coast Highway, including the large fascia that faces the center of the intersection, has been identified as the primary building frontage (approx. 170 feet) with the secondary building frontage being Avocado Avenue (approx. 130 feet). The existing sign program allows ten wall signs with a cumulative area of 320 square feet on the primary frontage. The signs vary in size based on the width of fascia where they are located. Two 30 square foot signs are allowed on the secondary frontage (Avocado Avenue). The additional signs being requested would be located on the secondary

frontage on the first and second floors of one of the 20-foot wide fascias and be limited to 30 square feet each. Since the new sign will exceed the total allowance for secondary signs (total of 37.5 square feet) approval of a modification permit is required.

Attachment No. PC7 includes the proposed sign matrix that indicates the number, location and size of allowed signs and a building elevation indicating the location of the signs. The two proposed signs are identified as F1 and F2.

Zoning Administrator Action

The Zoning Administrator held a public hearing on Modification Permit No. 2012-004 and Comprehensive Sign Program No. CS2007-002 on March 28, 2012. The multiple fascia building design and multi-tenant occupancy of the building were factors considered at the time of the original approval and recent Zoning Administrator approval. The Zoning Administrator approved the application subject to the findings in the attached Zoning Administrator Action Letter (Attachment No. PC 4).

Appeal

On April 6, 2012, an appeal of the Zoning Administrator's decision was filed by Planning Commission Chairman Michael Toerge. The appeal states that the modification is not compatible with existing development in the area, that there are no practical difficulties with the property, and the proposed signs do not enhance the overall development. The appeal letter (e-mail) is attached (Attachment No. PC 3).

Pursuant to Zoning Code Section 20.64.030.C, a public hearing on an appeal is conducted "de novo," meaning that it is a new hearing and the decision being appealed has no force or effect as of the date the appeal was filed. The review authority is not bound by the decision being appealed or limited to the issues raised on appeal.

Environmental Review

The project qualifies for Class 11 (Accessory Structures) categorical exemption, Section 15311 of the California Environmental Quality Act. This class exempts construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to on-premise signs.

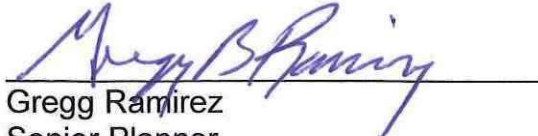
If the Planning Commission reverses the Zoning Administrators approval, Section 15270 of the California Environmental Quality Act (CEQA) Guidelines indicates that projects which a public agency rejects or disapproves are not subject to CEQA review.

Public Notice

Notice of this hearing was published in the Daily Pilot, mailed to property owners within 300 feet (excluding intervening rights-of-way and waterways) of the property and posted

at the site a minimum of 10 days in advance of this hearing consistent with the Municipal Code. Additionally, the item appeared upon the agenda for this meeting, which was posted at City Hall and on the City website.

Prepared and submitted by:


Gregg Ramirez
Senior Planner

ATTACHMENTS

- PC 1 Draft Resolution for Approval
- PC 2 Draft Resolution for Denial
- PC 3 Appeal Letter
- PC 4 ZA Approval Resolution with
- PC 5 ZA Meeting Minutes, Public Comments
- PC 6 ZA Staff Report
- PC 7 Proposed Sign Program Matrix and Building Elevation Exhibit

Attachment No. PC 1

Draft Resolution for Approval

RESOLUTION NO. PC2012_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH UPHOLDING THE DECISION OF THE ZONING ADMINISTRATOR AND APPROVING MODIFICATION PERMIT NO. MD2012-004 AND AN AMENDMENT TO COMPREHENSIVE SIGN PROGRAM NO. CS2007-002 FOR THE COAST BUSINESS CENTER BUILDING LOCATED AT 2121 EAST COAST HIGHWAY (PA2012-010)

THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Coast Business Center, with respect to the property located at 2121 East Coast Highway, requesting approval of a Modification Permit to amend an existing Comprehensive Sign Program.
2. The applicant requests a Modification Permit to amend an existing Comprehensive Sign Program to allow the addition of two wall signs on the southeast (Avocado Avenue) elevation of the Coast Business Center building. The signs will be located on the first and second floors on one of the 20-foot long fascias of the building and will have a maximum sign area of 30 square feet each. The building is occupied by multiple office use tenants. The existing sign program permitted the installation of multiple wall signs on the first and second floor fascias facing East Coast Highway and Avocado Avenue and allowed for the retention of the freestanding monument sign located on the East Coast Highway side of the property.
3. The subject property is located within the OG (Office General) Zoning District and the General Plan Land Use Element category is CO-G (General Commercial Office).
4. The subject property is located within the Coastal Zone and has a COG-B (General Commercial Office) land use designation.
5. A public hearing was held on March 28, 2012 in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this meeting.
6. On April 6, 2012, the Zoning Administrator's decision to approve the application was appealed by Planning Commission Chairman Michael Toerge.
7. A public hearing was held on June 7, 2012, in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code.

Evidence, both written and oral, was presented to, and considered by, the Planning Commission at this meeting.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project has been determined to be categorically exempt under the requirements of the California Environmental Quality Act, pursuant to Section 15311 (Class 11 – Accessory Structures).
2. Class 11 exempts construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to on-premise signs.

SECTION 3. REQUIRED FINDINGS.

Modification Permit

In accordance with Section 20.52.050.E (Findings and decision) of the Newport Beach Municipal Code, the following findings and facts in support of the findings for a Modification Permit are set forth:

Finding

- A. *The requested modification will be compatible with existing development in the neighborhood.*

Facts in Support of Finding

1. The subject property is located within the OG (Office General) Zoning District and the General Plan Land Use Element category is CO-G (General Commercial Office). This district is intended to provide for areas appropriate for administrative, professional, and medical offices with limited accessory retail and service uses. The existing commercial development and existing and proposed signage is consistent with this land use designation. The proposed signage is accessory to the primary use.
2. The property is developed with a two-story multi-tenant building that has multiple wall signs on the first and second floor fascias facing East Coast Highway and Avocado Avenue. The proposed signage will add signage on one more of the 20-foot fascia elements facing Avocado Avenue. This signage will be compatible with the existing signage while improving the visibility and way finding of uses within the building.
3. The applicant requested the Modification Permit to allow greater flexibility for the sign area of the combination of wall signs on the building. Though the total sign area of these signs exceeds the maximum sign area permissible for any one elevation, the signs are in scale with the buildings/elevations on which they are located and allow for adequate identification of individual tenants within the multi-tenant commercial building.

4. The neighborhood includes properties with wall signs and additional tenant signs that provide visibility from the public right-of-way.
5. The illumination of signage is conditioned to prevent excessive glare spillage onto or visible from the adjacent right-of-way and any nearby properties

Finding

B. The granting of the modification is necessary due to the unique physical characteristic(s) of the property and/or structure, and/or characteristics of the use.

Facts in Support of Finding

1. The property is developed with a two-story multi-tenant commercial building with several different fascia elements. Comprehensive Sign Program No. CS2007-002 allowed for wall signs on the first and second floor fascias facing East Coast Highway and Avocado Avenue so that individual tenants within the building could utilize wall signage. The placement of the proposed signage would create a symmetry that does not exist with the current sign program. In addition, the additional signage will enhance the overall development of the site and provide adequate visibility and identification of the site and the mix of individual tenants within the building.
2. The proposed sign types and sign area are necessary due to the size and design of the building and the numbers of tenants within the development.

Finding

C. The granting of the modification is necessary due to practical difficulties associated with the property and that the strict application of the Zoning Code results in physical hardships that are inconsistent with the purpose and intent of the Zoning Code.

Facts in Support of Finding

1. The sign code allows one wall sign up to 1.5 times the linear frontage or 75 square feet maximum in sign area on the primary frontage and 50% of the primary for any secondary frontages. However, due to the design of the building and the mix of uses, one wall sign of this size does not provide adequate signage to identify individual tenants within the building.
2. Strict application of the Zoning Code limits the sign area of the combined signs on the building. The design and layout of the building as well as its multiple office use requires additional signage to ensure efficient way finding and to identify individual tenants within the building. The modification permit will allow signage that is in scale with the buildings and that provides adequate visibility from each of the frontages and the right-of-ways.

Finding

D. There are no alternatives to the modification permit that could provide similar benefits to the applicant with less potential detriment to surrounding owners and occupants, the neighborhood, or to the general public.

Facts in Support of Finding

1. The granting of a modification permit allows the additional signage and sign area necessary to ensure adequate visibility and identification of individual tenants within the building. No similar provision could be granted within the parameters of Section 20.42.120 (Comprehensive Sign Program) of the Zoning Code.
2. No foreseeable detriment will result from the approval of the modification permit as conditioned.

Finding

E. The granting of the modification would not be detrimental to public health, safety, or welfare, to the occupants of the property, nearby properties, the neighborhood, or the City, or result in a change in density or intensity that would be inconsistent with the provisions of this Zoning Code.

Facts in Support of Finding

1. The existing signage on the building has not proven to be detrimental to public health, safety, or welfare to the occupants of the property, nearby properties, the neighborhood, or the City. The proposed signage is expected to enhance the overall development of the site by providing more tenants within the building signage; thereby providing better way finding and/or attracting new tenants to revitalize the area.
2. The signage is for commercial uses in a commercial area.

Comprehensive Sign Program

Pursuant to Section 20.42.120 of the Zoning Code, approval of a Comprehensive Sign Program is required whenever a structure has more than three hundred (300) linear feet of frontage on a public street. In accordance with Section 20.67.120.E, a Comprehensive Sign Program shall comply with a number of standards. The following standards and facts in support of such standards are set forth:

Standard:

A. The proposed sign program shall comply with the purpose and intent of this Chapter [Chapter 20.42: Signs], any adopted sign design guidelines and the overall purpose and intent of this Section [Section 20.42.120].

Facts in Support of Standard:

1. In compliance with the purpose and intent of the Sign Code, the proposed Sign Program provides the site and the uses within adequate identification without excessive proliferation of signage. Furthermore, it preserves community appearance by regulating the type, number, and size of signage.

Standard:

B. The proposed signs shall enhance the overall development, be in harmony with, and relate visually to other signs included in the Comprehensive Sign Program, to the structures and/or developments they identify, and to surrounding development when applicable.

Facts in Support of Standard:

1. The site is for use of multiple tenants and the signage has been designed integral with the design and character of the building.
2. The proposed signage will enhance the overall development of the site. It will add symmetry to the building and provide adequate identification of individual tenants within the building.
3. The signs are appropriately scaled to the buildings and are integrated with the design and scale of the existing architecture.

Standard:

C. The sign program shall address all signs, including permanent, temporary, and exempt signs.

Facts in Support of Standard:

1. The Sign Program submitted for the project addresses all project signage. Temporary and exempt signs not specifically addressed in the program shall be regulated by the provisions of Chapter 20.42.

Standard:

D. The sign program shall accommodate future revisions that may be required because of changes in use or tenants.

Facts in Support of Standard:

1. The project site is for the use of multiple commercial tenants and has been designed to be effective for such a use.

2. It is not anticipated that future revisions will be necessary to accommodate constant changes in tenants or uses. However, flexibility has been incorporated into the Sign Program Matrix to allow minor deviations from the proposed signs.
3. Consistent with Chapter 20.42, the Community Development Director [or his/her designee] may approve minor revisions to the Sign Program if the intent of the original approval is not affected.

Standard:

E. The program shall comply with the standards of this Chapter, except that deviations are allowed with regard to sign area, total number, location, and/or height of signs to the extent that the Comprehensive Sign Program will enhance the overall development and will more fully accomplish the purposes and intent of this Chapter.

Facts in Support of Standard:

1. The Sign Program requests deviation in area, number, and location of signs.
2. The sign code allows one wall sign up to 1.5 times the linear frontage or 75 square feet maximum in sign area on the primary frontage and 50% of the primary for any secondary frontages. However, due to the configuration of the building and the mix of uses, one wall sign of this size does not provide adequate signage to identify individual tenants within the building.
3. The signs are designed to be complementary to the buildings and the uses to which they relate and are harmonious with their surroundings.

Standard:

F. The Approval of a Comprehensive Sign Program shall not authorize the use of signs prohibited by this Chapter.

Facts in Support of Standard:

1. The program does not authorize the use of new prohibited signs.

Standard:

G. Review and approval of a Comprehensive Sign Program shall not consider the signs' proposed message content.

Facts in Support of Standard:

1. The program contains no regulations affecting sign message or content.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Planning Commission of the City of Newport Beach hereby approves Modification Permit No. MD2012-004 and an amendment to Comprehensive Sign Program No. CS2007-002, subject to the conditions set forth in Exhibit A and the parameters denoted in Exhibit B, which are attached hereto and incorporated by reference.
2. This action shall become final and effective fourteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.

PASSED, APPROVED AND ADOPTED THIS 7th DAY OF JUNE, 2012.

AYES:

NOES:

ABSTAIN:

ABSENT:

BY: _____
Michael Toerge, Chairman

BY: _____
Fred Ameri, Secretary

EXHIBIT “A”

CONDITIONS OF APPROVAL

1. This approval supersedes Comprehensive Sign Program No. CS2007-002 (PA2007-084).
2. The development shall be in substantial conformance with the plans, and elevations, except if noted in the following conditions.
3. Locations of the signs are limited to the designated areas and shall comply with the limitations specified in the Sign Program Matrix included in Exhibit “B”.
4. All signs must be maintained in accordance with Section 20.42.170 (Maintenance Requirements) of the Newport Beach Municipal Code.
5. Prior to issuance of building permits, the applicant shall submit to the Planning Division an additional copy of the approved architectural plans for inclusion in the Planning file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only and shall be reduced in size to 11 inches by 17 inches. The plans shall accurately depict the elements approved by this Staff Approval and shall highlight the approved elements such that they are readily discernible from other elements of the plans.
6. A building permit shall be obtained prior to commencement of the construction and/or installation of the signs.
7. A copy of the conditions of approval shall be incorporated into the Building Division and field sets of plans prior to issuance of the building permits.
8. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney’s fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City’s approval of Coast Business Center Sign Program including, but not limited to Modification Permit No. MD2012-004 and Comprehensive Sign Program No. CS2007-002 and the determination that the project is exempt under the requirements of the California Environmental Quality Act. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys’ fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City’s costs, attorneys’ fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

EXHIBIT “B”**SIGN PROGRAM MATRIX**

SIGN TYPE AND LOCATION	FRONTAGE DESIGNATION SIGN LIMITATIONS/RESTRICTIONS
Wall Signs Major Tenants Primary Location A1 and A2;	East Coast Highway – 50 ft fascia frontage element <u>Maximum Area of 70 sq ft.</u> Maximum vertical dimension, sign or logos, 2 feet- 9 1/2 inches in height. Minimum distance shall be 20 linear feet from the nearest sign on the adjoining fascia. Only major tenants may have a maximum of two signs, one each in the A or B elevation/location.
Wall Signs Major Tenants Secondary Location B1 and B2	East Coast Highway – 80 ft fascia frontage element <u>Maximum Area of 50 sq ft.</u> Maximum vertical dimension, sign or logos, 2 feet- 9 1/2 inches in height. Minimum distance shall be 20 linear feet from the nearest sign on the adjoining fascia. Only major tenants may have a maximum of two signs, one each in the A or B elevation/location.
Wall Signs Minor Tenants C1, C2, D1 and D2	East Coast Highway – 20 ft fascia frontage element <u>Maximum Area of 30 sq ft.</u> Maximum vertical dimension, sign or logos, 2 feet- 9 1/2 inches in height. Minimum distance shall be 20 linear feet from the nearest sign on the adjoining fascia. Maximum of one sign for each minor tenant.
Wall Signs Minor Tenants E1, E2, F1*, and F2*	Avocado Avenue – 20 ft fascia frontage element 1.5 square feet/linear foot of fascia frontage or <u>max area of 30 sq ft.</u> Maximum vertical dimension, sign or logos, 2 feet- 9 1/2 inches in height. Minimum distance shall be 20 linear feet from the nearest sign on the adjoining fascia. Maximum of one sign for each minor tenant.
Monument Sign Project Identification and Tenant Directory	East Coast Highway Existing 4-foot 6-inch tall by 23-feet 6-inches long Internally or externally illuminated. Opaque background per sign panel with letters illuminated or halo-illuminated only. Illuminated panel blank space background is prohibited.
All window and other exempt signs in accordance with Chapter 20.67	All building elevations Removal of all signs (including window signs) in excess of the total allowance as necessary.

NOTE: All proposed signs shall also be in conformance with the approved plans, Comprehensive Sign Program No. CS2007-002 and Modification Permit No. MD2012-001, approved June 7, 2012, and provisions of Chapter 20.42 of the Newport Beach Municipal Code, unless otherwise indicated. *Signs denoted with an asterisk were added with approval of the Modification Permit.

Attachment No. PC 2

Draft Resolution for Denial

RESOLUTION NO. ####

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH REVERSING THE DECISION OF THE ZONING ADMINISTRATOR AND DENYING MODIFICATION PERMIT NO. MD2012-004 AND AN AMENDMENT TO COMPREHENSIVE SIGN PROGRAM NO. CS2007-002 FOR THE COAST BUSINESS CENTER BUILDING LOCATED AT 2121 EAST COAST HIGHWAY (PA2012-010)

THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Coast Business Center, with respect to the property located at 2121 East Coast Highway, requesting approval of a Modification Permit to amend an existing Comprehensive Sign Program.
2. The applicant requests a Modification Permit to amend an existing Comprehensive Sign Program to allow the addition of two wall signs on the southeast (Avocado Avenue) elevation of the Coast Business Center building. The signs will be located on the first and second floors on one of the 20-foot long fascias of the building and will have a maximum sign area of 30 square feet each. The building is occupied by multiple office use tenants. The existing sign program permitted the installation of multiple wall signs on the first and second floor fascias facing East Coast Highway and Avocado Avenue and allowed for the retention of the freestanding monument sign located on the East Coast Highway side of the property.
3. The subject property is located within the OG (Office General) Zoning District and the General Plan Land Use Element category is CO-G (General Commercial Office).
4. The subject property is located within the Coastal Zone and has a COG-B (General Commercial Office) land use designation.
5. A public hearing was held on March 28, 2012 in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this meeting.
6. On April 6, 2012, the Zoning Administrator's decision to approve the application was appealed by Planning Commission Chairman Michael Toerge.
7. A public hearing was held on June 7, 2012, in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code.

Evidence, both written and oral, was presented to, and considered by, the Planning Commission at this meeting.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

Pursuant to Section 15270 of the California Environmental Quality Act (CEQA) Guidelines, projects which a public agency rejects or disapproves are not subject to CEQA review.

SECTION 3. REQUIRED FINDINGS.

The Planning Commission may approve a Modification Permit application only after making each of the required findings set forth in Section 20.52.050.E of the Zoning Code and may only approve a Comprehensive Sign Program application only after determining compliance with the standards set forth in Section 20.42.110.E of the Zoning Code. In this case, the Planning Commission was unable to make the following required findings and determination of compliance with the sign standards.

MODIFICATION PERMIT FINDINGS

1. The requested modification is not compatible with existing development in the area.
2. There are no practical difficulties with the property whereby the strict application of the zoning code results in physical hardships that are inconsistent with the purpose and intent of the Zoning Code.

COMPREHENSIVE SIGN PROGRAM STANDARDS

1. The proposed signs do not enhance the overall development; they are not in harmony with and do not relate visually to other signs included in the Comprehensive Sign Program or to the structures and/or developments they identify and/or to surrounding development.

NOW, THEREFORE, BE IT RESOLVED:

1. The Planning Commission of the City of Newport Beach hereby denies Modification Permit No. MD2012-004 and an amendment to Comprehensive Sign Program No. CS2007-002, reversing the decision of the Zoning Administrator.
2. This action shall become final and effective fourteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.

PASSED, APPROVED AND ADOPTED THIS 7th DAY OF JUNE, 2012.

AYES:

NOES:

ABSTAIN:

ABSENT:

BY: _____
Michael Toerge, Chairman

BY: _____
Fred Ameri, Secretary

DRAFT

Attachment No. PC 3

Appeal Letter

From: Michael Lee Toerge
Sent: Friday, April 06, 2012 11:14 AM
To: Burns, Marlene
Cc: Wisneski, Brenda
Subject: Coast Business Center Sign Program (PA2012-010)

Marlene – I wish to appeal the March 28, 2012 decision of the Zoning Administrator regarding the Coast Business Center Sign Program (PA2012-010), Modification Permit No. MD2012-004, Comprehensive Sign Program No. CS2007-002, for the property located at 2121 E. Coast Highway for the following reasons:

Findings:

- I don't believe the requested modification is compatible with existing development in the area.
- I don't believe there are practical difficulties with the property whereby the strict application of the zoning code results in physical hardships that are inconsistent with the purpose and intent of the Zoning Code.

Comprehensive Sign Program Standards

- The proposed signs do not enhance the overall development; they are not in harmony with and do not relate visually to other signs included in the Comprehensive Sign Program or to the structures and/or developments they identify and/or to surrounding development.

Thank you.

Michael Lee Toerge

Attachment No. PC 4

ZA Approval Resolution

RESOLUTION NO. ZA2012-015

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING MODIFICATION PERMIT NO. MD2012-004 AND AN AMENDMENT TO COMPREHENSIVE SIGN PROGRAM NO. CS2007-002 FOR THE COAST BUSINESS CENTER BUILDING LOCATED AT 2121 EAST COAST HIGHWAY (PA2012-010)

THE ZONING ADMINSTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Coast Business Center, with respect to the property located at 2121 East Coast Highway, requesting approval of a Modification Permit to amend an existing Comprehensive Sign Program.
2. The applicant requests a Modification Permit to amend an existing Comprehensive Sign Program to allow the addition of two wall signs on the southeast (Avocado Avenue) elevation of the Coast Business Center building. The signs will be located on the first and second floors on one of the 20-foot long fascias of the building and will have a maximum sign area of 30 square feet each. The building is occupied by multiple office use tenants. The existing sign program permitted the installation of multiple wall signs on the first and second floor fascias facing East Coast Highway and Avocado Avenue and allowed for the retention of the freestanding monument sign located on the East Coast Highway side of the property.
3. The subject property is located within the OG (Office General) Zoning District and the General Plan Land Use Element category is CO-G (General Commercial Office).
4. The subject property is located within the Coastal Zone.
5. A public hearing was held on March 28, 2012, in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this meeting.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project has been determined to be categorically exempt under the requirements of the California Environmental Quality Act, pursuant to Section 15311 (Class 11 – Accessory Structures).
2. Class 11 exempts construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to on-premise signs.

SECTION 3. REQUIRED FINDINGS.

Modification Permit

In accordance with Section 20.52.050.E (Findings and decision) of the Newport Beach Municipal Code, the following findings and facts in support of the findings for a Modification Permit are set forth:

Finding

A. The requested modification will be compatible with existing development in the neighborhood.

Facts in Support of Finding

1. The subject property is located within the OG (Office General) Zoning District and the General Plan Land Use Element category is CO-G (General Commercial Office). This district is intended to provide for areas appropriate for administrative, professional, and medical offices with limited accessory retail and service uses. The existing commercial development and existing and proposed signage is consistent with this land use designation. The proposed signage is accessory to the primary use.
2. The property is developed with a two-story multi-tenant building that has multiple wall signs on the first and second floor fascias facing East Coast Highway and Avocado Avenue. The proposed signage will add signage on one more of the 20-foot fascia elements facing Avocado Avenue. This signage will be compatible with the existing signage while improving the visibility and way finding of uses within the building.
3. The applicant requested the Modification Permit to allow greater flexibility for the sign area of the combination of wall signs on the building. Though the total sign area of these signs exceeds the maximum sign area permissible for any one elevation, the signs are in scale with the buildings/elevations on which they are located and allow for adequate identification of individual tenants within the multi-tenant commercial building.
4. The neighborhood includes properties with wall signs and additional tenant signs that provide visibility from the public right-of-way.
5. The illumination of signage is conditioned to prevent excessive glare spillage onto or visible from the adjacent right-of-way and any nearby properties

Finding

B. The granting of the modification is necessary due to the unique physical characteristic(s) of the property and/or structure, and/or characteristics of the use.

Facts in Support of Finding

1. The property is developed with a two-story multi-tenant commercial building with several different fascia elements. Comprehensive Sign Program No. CS2007-002 allowed for wall signs on the first and second floor fascias facing East Coast Highway and Avocado Avenue so that individual tenants within the building could utilize wall signage. The placement of the proposed signage would create a symmetry that does not exist with the current sign program. In addition, the additional signage will enhance the overall development of the site and provide adequate visibility and identification of the site and the mix of individual tenants within the building.
2. The proposed sign types and sign area are necessary due to the size and design of the building and the numbers of tenants within the development.

Finding

C. The granting of the modification is necessary due to practical difficulties associated with the property and that the strict application of the Zoning Code results in physical hardships that are inconsistent with the purpose and intent of the Zoning Code.

Facts in Support of Finding

1. The sign code allows one wall sign up to 1.5 times the linear frontage or 75 square feet maximum in sign area on the primary frontage and 50% of the primary for any secondary frontages. However, due to the design of the building and the mix of uses, one wall sign of this size does not provide adequate signage to identify individual tenants within the building.
2. Strict application of the Zoning Code limits the sign area of the combined signs on the building. The design and layout of the building as well as its multiple office use requires additional signage to ensure efficient way finding and to identify individual tenants within the building. The modification permit will allow signage that is in scale with the buildings and that provides adequate visibility from each of the frontages and the right-of-ways.

Finding

D. There are no alternatives to the modification permit that could provide similar benefits to the applicant with less potential detriment to surrounding owners and occupants, the neighborhood, or to the general public.

Facts in Support of Finding

1. The granting of a modification permit allows the additional signage and sign area necessary to ensure adequate visibility and identification of individual tenants within the building. No similar provision could be granted within the parameters of Section 20.42.120 (Comprehensive Sign Program) of the Zoning Code.

2. No foreseeable detriment will result from the approval of the modification permit as conditioned.

Finding

E. The granting of the modification would not be detrimental to public health, safety, or welfare, to the occupants of the property, nearby properties, the neighborhood, or the City, or result in a change in density or intensity that would be inconsistent with the provisions of this Zoning Code.

Facts in Support of Finding

1. The existing signage on the building has not proven to be detrimental to public health, safety, or welfare to the occupants of the property, nearby properties, the neighborhood, or the City. The proposed signage is expected to enhance the overall development of the site by providing more tenants within the building signage; thereby providing better way finding and/or attracting new tenants to revitalize the area.
2. The signage is for commercial uses in a commercial area.

Comprehensive Sign Program

Pursuant to Section 20.42.120 of the Zoning Code, approval of a Comprehensive Sign Program is required whenever a structure has more than three hundred (300) linear feet of frontage on a public street. In accordance with Section 20.67.120.E, a Comprehensive Sign Program shall comply with a number of standards. The following standards and facts in support of such standards are set forth:

Standard:

A. The proposed sign program shall comply with the purpose and intent of this Chapter [Chapter 20.42: Signs], any adopted sign design guidelines and the overall purpose and intent of this Section [Section 20.42.120].

Facts in Support of Standard:

1. In compliance with the purpose and intent of the Sign Code, the proposed Sign Program provides the site and the uses within adequate identification without excessive proliferation of signage. Furthermore, it preserves community appearance by regulating the type, number, and size of signage.

Standard:

B. The proposed signs shall enhance the overall development, be in harmony with, and relate visually to other signs included in the Comprehensive Sign Program, to the structures and/or developments they identify, and to surrounding development when applicable.

Facts in Support of Standard:

1. The site is for use of multiple tenants and the signage has been designed integral with the design and character of the building.
2. The proposed signage will enhance the overall development of the site. It will add symmetry to the building and provide adequate identification of individual tenants within the building.
3. The signs are appropriately scaled to the buildings and are integrated with the design and scale of the existing architecture.

Standard:

C. The sign program shall address all signs, including permanent, temporary, and exempt signs.

Facts in Support of Standard:

1. The Sign Program submitted for the project addresses all project signage. Temporary and exempt signs not specifically addressed in the program shall be regulated by the provisions of Chapter 20.42.

Standard:

D. The sign program shall accommodate future revisions that may be required because of changes in use or tenants.

Facts in Support of Standard:

1. The project site is for the use of multiple commercial tenants and has been designed to be effective for such a use.
2. It is not anticipated that future revisions will be necessary to accommodate constant changes in tenants or uses. However, flexibility has been incorporated into the Sign Program Matrix to allow minor deviations from the proposed signs.
3. Consistent with Chapter 20.42, the Community Development Director [or his/her designee] may approve minor revisions to the Sign Program if the intent of the original approval is not affected.

Standard:

E. The program shall comply with the standards of this Chapter, except that deviations are allowed with regard to sign area, total number, location, and/or height of signs to the extent that the Comprehensive Sign Program will enhance the overall development and will more fully accomplish the purposes and intent of this Chapter.

Facts in Support of Standard:

1. The Sign Program requests deviation in area, number, and location of signs.
2. The sign code allows one wall sign up to 1.5 times the linear frontage or 75 square feet maximum in sign area on the primary frontage and 50% of the primary for any secondary frontages. However, due to the configuration of the building and the mix of uses, one wall sign of this size does not provide adequate signage to identify individual tenants within the building.
3. The signs are designed to be complementary to the buildings and the uses to which they relate and are harmonious with their surroundings.

Standard:

F. The Approval of a Comprehensive Sign Program shall not authorize the use of signs prohibited by this Chapter.

Facts in Support of Standard:

1. The program does not authorize the use of new prohibited signs.

Standard:

G. Review and approval of a Comprehensive Sign Program shall not consider the signs' proposed message content.

Facts in Support of Standard:

1. The program contains no regulations affecting sign message or content.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves Modification Permit No. MD2012-004 and an amendment to Comprehensive Sign Program No. CS2007-002, subject to the conditions set forth in Exhibit A and the parameters denoted in Exhibit B, which are attached hereto and incorporated by reference.
2. Comprehensive Sign Program and Modification Permit applications do not become effective until 14 days following the date of action. Prior to the effective date, the applicant or any interested party may appeal the decision of the Zoning Administrator to the Planning Commission by submitting a written appeal application to the Community Development Director. For additional information on filing an appeal, contact the Planning Division at 949-644-3200.

PASSED, APPROVED, AND ADOPTED THIS 28th DAY OF MARCH, 2012.

By: 
Brenda Wisneski, AICP, Zoning Administrator

EXHIBIT “A”

CONDITIONS OF APPROVAL

1. This approval supersedes Comprehensive Sign Program No. CS2007-002 (PA2007-084).
2. The development shall be in substantial conformance with the approved site plan, details, and elevations, except if noted in the following conditions.
3. Locations of the signs are limited to the designated areas and shall comply with the limitations specified in the Sign Program Matrix included in Exhibit “B”.
4. All signs must be maintained in accordance with Section 20.42.170 (Maintenance Requirements) of the Newport Beach Municipal Code.
5. Prior to issuance of building permits, the applicant shall submit to the Planning Department an additional copy of the approved architectural plans for inclusion in the Planning file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only and shall be reduced in size to 11 inches by 17 inches. The plans shall accurately depict the elements approved by this Staff Approval and shall highlight the approved elements such that they are readily discernible from other elements of the plans.
6. A building permit shall be obtained prior to commencement of the construction and/or installation of the signs.
7. A copy of the conditions of approval shall be incorporated into the Building Department and field sets of plans prior to issuance of the building permits.
8. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney’s fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City’s approval of Coast Business Center Sign Program including, but not limited to Modification Permit No. MD2012-004 and Comprehensive Sign Program No. CS2007-002 and the determination that the project is exempt under the requirements of the California Environmental Quality Act. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys’ fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City’s costs, attorneys’ fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

EXHIBIT “B”**SIGN PROGRAM MATRIX**

SIGN TYPE AND LOCATION	FRONTAGE DESIGNATION SIGN LIMITATIONS/RESTRICTIONS
Wall Signs Major Tenants Primary Location A1 and A2;	East Coast Highway – 50 ft fascia frontage element <u>Maximum Area of 70 sq ft.</u> Maximum vertical dimension, sign or logos, 2 feet- 9 1/2 inches in height. Minimum distance shall be 20 linear feet from the nearest sign on the adjoining fascia. Only major tenants may have a maximum of two signs, one each in the A or B elevation/location.
Wall Signs Major Tenants Secondary Location B1 and B2	East Coast Highway – 80 ft fascia frontage element <u>Maximum Area of 50 sq ft.</u> Maximum vertical dimension, sign or logos, 2 feet- 9 1/2 inches in height. Minimum distance shall be 20 linear feet from the nearest sign on the adjoining fascia. Only major tenants may have a maximum of two signs, one each in the A or B elevation/location.
Wall Signs Minor Tenants C1, C2, D1 and D2	East Coast Highway – 20 ft fascia frontage element <u>Maximum Area of 30 sq ft.</u> Maximum vertical dimension, sign or logos, 2 feet- 9 1/2 inches in height. Minimum distance shall be 20 linear feet from the nearest sign on the adjoining fascia. Maximum of one sign for each minor tenant.
Wall Signs Minor Tenants E1, E2, F1*, and F2*	Avocado Avenue – 20 ft fascia frontage element 1.5 square feet/linear foot of fascia frontage or <u>max area of 30 sq ft.</u> Maximum vertical dimension, sign or logos, 2 feet- 9 1/2 inches in height. Minimum distance shall be 20 linear feet from the nearest sign on the adjoining fascia. Maximum of one sign for each minor tenant.
Monument Sign Project Identification and Tenant Directory	East Coast Highway Existing 4-foot 6-inch tall by 23-feet 6-inches long Internally or externally illuminated. Opaque background per sign panel with letters illuminated or halo-illuminated only. Illuminated panel blank space background is prohibited.
All window and other exempt signs in accordance with Chapter 20.67	All building elevations Removal of all signs (including window signs) in excess of the total allowance as necessary.

NOTE: All proposed signs shall also be in conformance with the approved plans, Comprehensive Sign Program No. CS2007-002 and Modification Permit No. MD2012-001, approved March 28, 2012, and provisions of Chapter 20.42 of the Newport Beach Municipal Code, unless otherwise indicated. *Signs denoted with an asterisk were added with approval of the Modification Permit.

Attachment No. PC 5

ZA Meeting Minutes, Public Comments

NEWPORT BEACH ZONING ADMINISTRATOR MINUTES
Council Chambers – 3300 Newport Boulevard
Wednesday, March 28, 2012
REGULAR HEARING
3:30 p.m.

1. **CALL TO ORDER** – The meeting was called to order at 3:30 p.m.

Staff Present: Brenda Wisneski, Zoning Administrator
Erin Steffen, Planning Technician
Rosalinh Ung, Associate Planner

2. **MINUTES** of March 14, 2012

Action: Approved

3. **PUBLIC HEARING ITEMS**

ITEM NO. 1 Coast Business Center Sign Program - Modification Permit No. MD2012-004 and Comprehensive Sign Program No. CS2007-002 (PA2012-010)
2121 E. Coast Highway Council District 5

Erin Steffen, Planning Technician, gave a brief overview of the application for a Modification Permit to amend an existing Comprehensive Sign Program to allow the addition of two signs on the southeast (Avocado Avenue) elevation of the Coast Business Center building. The signs will be located on the first and second floors on one of the 20-foot long fascias of the building and will have a maximum sign area of 30 square feet each. The sign code allows one wall sign up to 1.5 times the linear frontage or 75 square feet maximum in sign area on the primary frontage and 50% of the primary for any secondary frontages. However, due to the design of the building and the mix of uses, one wall sign of this size does not provide adequate signage to identify individual tenants within the building. The placement of the proposed signage would create a symmetry that does not exist with the current sign program. This signage would also be compatible with the existing signage while improving the visibility of uses within the building.

No representative for Coast Business Center, the project applicant, was in attendance. Thus, no questions or comments were taken.

The Zoning Administrator opened the public hearing.

Dan Purcell submitted written comments and stated the following:

- The signs substantially exceed sign area limits
- Excessive proliferation of signs
- Do not assist with wayfinding
- Does not preserve community appearance
- No need to revitalize the area with signage
- No need for the signs to create symmetry

Jim Mosher had the following comments:

- What is being superseded or amended as indicated on page 8 of the draft resolution?
- On Exhibit B of the staff report what is CS20011-007?

Staff confirmed that the application was for the approval of a Modification Permit to amend an existing Comprehensive Sign program. Approval of the Modification would supersede the approval of the existing Comprehensive Sign Program. There was a numbering error and CS20011-007 should be changed to CS2007-002.

This amendment allows for the addition of Signs F1 and F2 as noted on the plans, which changes the matrix and plans from the previous approval.

Seeing that there were no other public comments, the Zoning Administrator closed the public hearing.

The Zoning Administrator stated that the subject property is developed with a multi-tenant building and that a Comprehensive Sign Program allows for greater flexibility for signage to increase the number of signs on such buildings. The Modification, in this case, allows for a further increase in sign area. Although the existing Sign Program allowed for signs on the Coast Highway elevation which exceed the Zoning Code requirements, the signs on the Avocado elevation which are the subject of the application, including the addition of the two new signs, are within sign area limitations. It was also noted that although the structure is located adjacent to a residential zoning district, the building is designed in a way that the signs would only be visible from Coast Highway.

The Zoning Administrator agreed with the facts in support of the findings in the draft resolution and moved to approve the application by adopting the draft resolution with Exhibit B being modified to change CS20011-007 to CS2007-002.

Action: Approved

ITEM NO. 2

Dove Street Sign Modification Permit No. MD2012-003 (PA2012-007)
1801 Dove Street

Council District 3

Rosalinn Ung, Associate Planner, gave a brief overview of the application for a Modification Permit to amend the Comprehensive Sign Program for the Hangars to allow Building #18 to have three (3) new wall signs that will exceed the permitted letter/logo height and maximum square footage. The Modification Permit is necessary to allow larger and more visible signage on the east, north and south elevations. The Comprehensive Sign Program was originally created to provide signage for the light industrial uses located within the entire complex. As the complex is slowly evolving into a more business-like environment with corporate offices and professional uses as permitted by the Newport Place Planned Community, wall sign allowance for these tenants is no longer adequate. The larger wall signs will provide greater convenience to patrons and motorists in locating the subject property.

David Lewis of Blake Signs, project applicant, had no comments or questions for staff and agreed to the conditions of approval.

Gary Batt of Sign Specialists commented on whether this Modification Permit should be extended to include Building #1 through #17 that are located within the business complex, as they will most likely be requesting similar amendment to the Comprehensive Sign Program.

The Zoning Administrator stated that the Modification Permit application is for Building #18 only and is therefore obligated to render a decision as requested. The entire complex is currently under condominium ownership which is different compared to when the Comprehensive Sign Program was originally approved and the entire complex was under a common ownership. Staff would welcome a comprehensive evaluation of signage for the entire complex from all property owners under a different application.

The Zoning Administrator opened the public hearing.

Jim Mosher had the following comments:

- Clarification on who is the applicant.
- Confirmation on public noticing to all property owners and tenants that are subject to the current Comprehensive Sign Program.
- Clarification of the building orientation related to the north, south and east elevations.
- Clarification of the applicant's request as it reflects a reduction in amount of signage allowed for the north, south and east elevations.
- Whether Condition #6 of the draft Resolution is applicable to this Modification Permit. In the case like this, what constitutes that the application is exercised or vested.

- Clarification on the footnote at the bottom of the Table Matrix of Comprehensive Sign Program as the statement related to written staff approval of sign program amendments.

Seeing that there were no other public comments, the Zoning Administrator closed the public hearing.

Staff confirmed that Blake Signs is the applicant, presenting the property owner of subject property. Public notices were sent to all property owners within the entire business complex. The building orientation is properly labeled as shown on the applicant's drawings. The applicant has agreed to reduce the number of permitted signs from two to one, in order to have a larger wall sign on the north, south and east elevations.

The Zoning Administrator stated Condition #6 will be removed as it is not applicable to the Modification Permit. Staff approval process is allowed by the Municipal Code to allow staff the ability to consider minor changes as long as they are in substantial conformance with the original approval.

The Zoning Administrator agreed with the facts in support of the findings in the draft resolution and moved to approve the application by adopting the draft resolution with Condition #6 removed.

Action: Approved

4. PUBLIC COMMENTS ON NON-AGENDA ITEMS:

Dan Purcell requested access to a lap top and projector at future Zoning Administrator meetings so the public may present images that may be viewed by members in the audience.

ADJOURNMENT – The hearing was adjourned at 4:00 p.m.



Brenda Wisneski, AICP, Zoning Administrator

Correspondence
Item No. 0a
Public Comments
Received 04/04/12

Brenda Wisneski, Zoning Administrator
City of Newport Beach
3300 Newport Blvd
Newport Beach CA 92663

RE: Coast Business Center Sign Program 2121 E Coast Hwy (PA2012-010)

Dear Ms. Wisneski,

Thank you for the opportunity to comment on the application for Modification Permit No. MD2012-004 and Comprehensive Sign Program No. CS2007-002 (PA2012-010). I am opposed to approval for the following reasons:

1. According to code, the applicant is allowed one sign on E Coast Hwy and one sign on Avocado Ave. The applicant has substantially exceeded limits already.
2. According to code, the applicant is allowed a 75 sq ft sign on the primary frontage and a 37.5 sq ft sign on the secondary frontage. I have been told the applicant has, or will have, 320 sq ft of signage on E Coast Hwy and 120 sq ft of signage on Avocado Ave. This is four times the allowable signage specified by code.
3. Additional approvals would amount to an excessive proliferation of signage and would devalue the current tenant signs by adding clutter. Additional signs would devalue neighboring commercial property owner signs by adding clutter.
4. Adding signs does not assist in way finding. There is only one large white office building at the corner of E Coast Hwy and Avocado Ave. Visitors do not enter suites at the sign locations. Visitors enter through common lobbies.
5. Adding signs does not preserve community appearance. The property is adjacent to residential properties and any increase in intensity of advertising, especially lighted signs, may negatively affect the wellbeing of residential neighbors and decrease their property values. The same is true for nearby commercial properties where signage is kept under control, such as Corona del Mar Plaza and Newport Center.
6. The property is located across the highway from some of the premier commercial properties in Newport Beach, Orange County and the nation. There is no need to revitalize the area with signage.

These are some of my initial concerns. I am looking forward to providing you with additional and more specific comments at the hearing on Wednesday.

Sincerely,

Dan Purcell
Ocean Blvd
Corona del Mar

Attachment No. PC 6

ZA Staff Report



COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

3300 Newport Boulevard, Building C, Newport Beach, CA 92663

(949) 644-3200 Fax: (949) 644-3229

www.newportbeachca.gov

CITY OF NEWPORT BEACH ZONING ADMINISTRATOR STAFF REPORT

March 28, 2012

Agenda Item No. 1

SUBJECT: Coast Business Center Sign Program (PA2012-010)
2121 E. Coast Highway
▪ Modification Permit No. MD2012-004
▪ Comprehensive Sign Program No. CS2007-002

APPLICANT: Coast Business Center

PLANNER: Erin Steffen, Planning Technician
(949) 644-3234, esteffen@newportbeachca.gov

ZONING DISTRICT/GENERAL PLAN

Zoning Code - OG (Office General) / General Plan - CO-G (General Commercial Office)

PROJECT SUMMARY

The applicant requests a Modification Permit to amend an existing Comprehensive Sign Program to allow the addition of two signs on the southeast (Avocado Avenue) elevation of the Coast Business Center building. The signs will be located on the first and second floors on one of the 20-foot long fascias of the building and will have a maximum sign area of 30 square feet each.

RECOMMENDATION

- 1) Conduct a public hearing; and
- 2) Adopt Draft Zoning Administrator Resolution No. ZA2012-0XX approving Modification Permit No. MD2012-004 to amend Comprehensive Sign Program No. CS2007-002(Attachment No. ZA 1).

DISCUSSION

- The property is developed with a two-story multi-tenant office building that has multiple fascia elements with walls signs on the first and second floors facing East Coast Highway and Avocado Avenue.

- Comprehensive Sign Program No. CS2007-002 allowed for wall signs on the first and second floor fascias facing East Coast Highway and Avocado Avenue so that individual tenants within the building could utilize wall signage. The sign program also allowed for the retention of the freestanding monument sign located on the East Coast Highway side of the property.
- The sign code allows one wall sign up to 1.5 times the linear frontage or 75 square feet maximum in sign area on the primary frontage and 50% of the primary for any secondary frontages. However, due to the design of the building and the mix of uses, one wall sign of this size does not provide adequate signage to identify individual tenants within the building.
- The placement of the proposed signage would create a symmetry that does not exist with the current sign program. This signage would also be compatible with the existing signage while improving the visibility and way finding of uses within the building.

ENVIRONMENTAL REVIEW

The project qualifies for Class 11 (Accessory Structures) categorical exemption, Section 15311 of the California Environmental Quality Act. This class exempts construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to on-premise signs.

PUBLIC NOTICE

Notice of this hearing was published in the Daily Pilot, mailed to property owners within 300 feet (excluding intervening rights-of-way and waterways) of the property and posted at the site a minimum of 10 days in advance of this hearing consistent with the Municipal Code. Additionally, the item appeared upon the agenda for this meeting, which was posted at City Hall and on the City website.

APPEAL PERIOD: An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

Prepared by:


Erin M. Steffen, Planning Technician

BW/ems

Attachments:

~~ZA 1~~ Draft Resolution
~~ZA 2~~ Vicinity Map
 ZA 3 Comprehensive Sign Program No. CS2007-002
~~ZA 4~~ Project Plans

Attachment No. ZA 3

Comprehensive Sign Program No.
CS2007-002



CITY OF NEWPORT BEACH

PLANNING DEPARTMENT
3300 NEWPORT BOULEVARD
NEWPORT BEACH, CA 92658
(949) 644-3200; FAX (949) 644-3229

Comprehensive Sign CS2007-002
(PA2007-084)

Staff Person: Javier S. Garcia, 644-3206
Appeal Period: 14 days after approval date

June 15, 2007

Carey Sign
2871 Bluestar Street
Anaheim, CA 92806

APPLICATION: Comprehensive Sign Program No. CS2007-002 (PA2007-084)

APPLICANT: Carey Sign, on behalf of the property owner

LOCATION: 2121 EAST COAST HIGHWAY

Authority and Request:

Comprehensive Sign Program for an existing two-story, commercial office building in accordance with the provisions of Section 20.67.030 (Sign Code) of the Newport Beach Municipal Code. The building is occupied by multiple office use tenants and the sign program is for wall signs on the first and second floor fascias facing East Coast Highway and Avocado Avenue. The program includes retention of the freestanding monument sign located on the East Coast Highway side of the property. The property is located in the APF (Administrative, Professional, Financial Commercial) District.

ACTION: **APPROVED – June 15, 2007**

FINDINGS

1. The Land Use Element of the General Plan designates the site for "Administrative, Professional, Financial Commercial" land use. The commercial office building is consistent with this designation, and the sign program for the existing and proposed signs is accessory to the primary use.
2. After reviewing this project, it has been determined that it is categorically exempt from the requirements of the California Environmental Quality Act under Class 5 (Accessory Structures).
3. The proposed sign program is consistent with the legislative intent of Title 20 and Chapter 20.67 of the Newport Beach Municipal Code with regard to the sign regulations based on the following findings:

- Chapter 20.67 of the Newport Beach Municipal Code require comprehensive sign programs to provide a means for latitude in the design and display of signage for all projects.
- The sign program as presented and approved is consistent with the purpose and intent of the Mariners Mile Overlay District and Chapter 20.67 of the Newport Beach Municipal Code.
- The approved Comprehensive Sign Program will integrate the previously approved monument sign and wall signs at 2121 East Coast Highway into a single design theme to create a unified architectural statement and provide reduced and limited signage on the building wall fascia.
- There is a reasonable need for the number and size of signs to provide adequate identification of the tenants that occupy the building and as proposed does not result in an overcrowding of signs.
- The proposed sign program, as conditioned, will not interfere with sight distance from any street, alley or driveway.

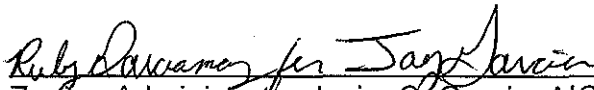
CONDITIONS

1. The development shall be in substantial conformance with the approved plot plan and sign details, except as noted in the following conditions.
2. The major and minor tenant identification wall signs shall be measured by two perpendicular sets of parallel lines that surround the proposed sign copy area or the sign cabinet, whichever is larger.
3. Wall signs visible from the public streets are limited to two building facades facing East Coast Highway and Avocado Avenue and shall comply with the limitations specified in the Sign Matrix/Table included as an attachment to this approval.
4. Anything not specifically approved by this Comprehensive Sign Program is prohibited. Revisions to the program may be approved by the Planning Director if the intent of the original approval is not affected. Revisions that substantially deviate from the original approval must be addressed in a separate amendment and subsequent Comprehensive Sign Program review for Planning Director Approval.
5. Any future revisions or changes to the signs approved by this Comprehensive Sign Program due to a change in the use or tenants of the building shall be reviewed and approved by the Planning Department, so long as the sign size, copy configuration and number of signs does not substantially change or increase from the limitation of this approval.
6. This approval was based on the particulars of the individual case and does not, in and of itself or in combination with other approvals in the vicinity or Citywide, constitute a precedent for future approvals or decisions.
7. A building permit shall be obtained prior to commencement of installation of any signs.

8. If reconstructed or relocated, the final location of freestanding sign shall be reviewed by the City Traffic Engineer and shall conform to City Standard 110-L to ensure that adequate sight distance is provided, unless otherwise approved by the City Traffic Engineer.
9. All work performed within the public right-of-way shall be reviewed and approved by the Public Works Department under an encroachment permit/agreement if required.
10. The Planning Director or the Planning Commission may add to or modify conditions of this approval, or revoke this approval upon a determination that any sign that is authorized by this approval has been altered beyond the parameters of the authorization and therefore beyond the justification.
11. This approval shall expire unless exercised within 24 months from the date of approval as specified in Section 20.93.055 of the Newport Beach Municipal Code, unless an extension is approved prior to the expiration date of this approval, in accordance with Section 20.93.055 (B) of the Newport Beach Municipal Code.

The decision of the Planning Director may be appealed to the Planning Commission within 14 days of the date of the decision. A filing fee of \$600.00 shall accompany any appeal filed. No building permits may be issued until the appeal period has expired. A copy of the approval letter shall be incorporated into the Building Department set of plans prior to issuance of the building permits or issuance of revised plans.

On behalf of Planning Director David Lepo,


Zoning Administrator Javier S. Garcia, AICP

Attachments: Appendix
Sign Matrix/Table
Vicinity Map
Site Plan and Sign Detail Plan

contact:
Dennis Stout
504 E. Palmura Avenue
Orange, CA 92866

property owner:
Coast Business Center
PO Box 2990
Newport Beach, CA 92658

APPENDIX

Discussion

The applicant requests the approval of a Comprehensive Sign Program for the 2121 East Coast Highway building. The program includes: primary wall signage and the provision or allowance for secondary wall, as well as sign parameters for major and minor tenant sign designations, and retention of the monument sign for project and tenant identification.

The Planning Director is of the opinion that the project sign program is consistent with the purpose and intent of the Sign Code for the following reasons:

- The number, size and area (as measured by two perpendicular sets of parallel lines that surround the proposed signs) of the wall signs.
- The size of the project identification monument sign has been addressed.

COMPREHENSIVE SIGN PROGRAM CS2007-002

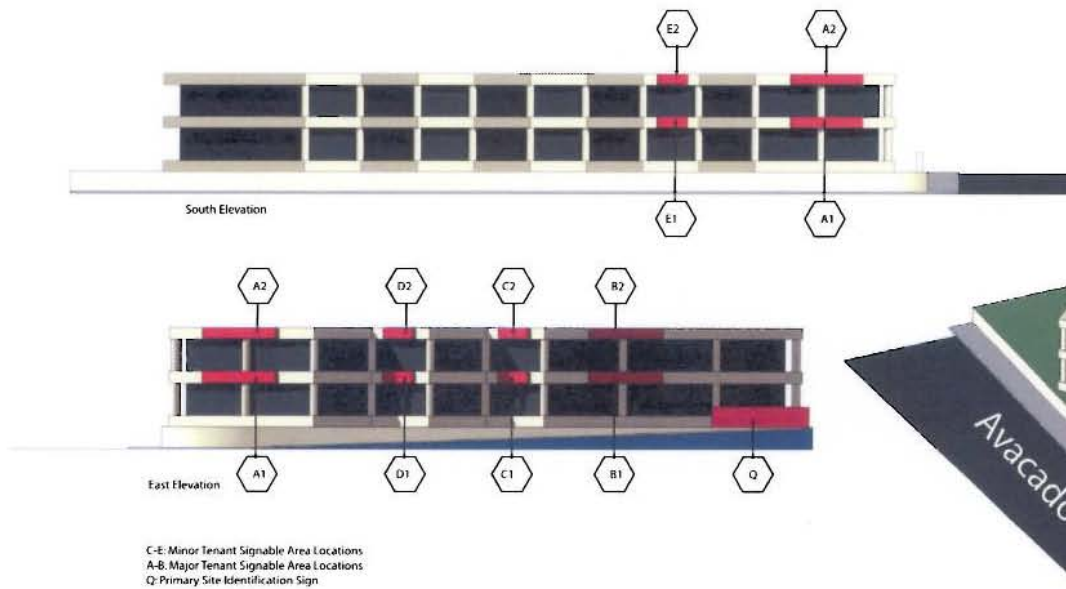
TABLE-MATRIX- 2121 EAST COAST HWY

Designated Frontage

1. East Coast Highway – fascia frontages 20, 50 or 80 linear feet
2. Avocado Avenue – fascia frontages are 20 linear feet
3. Parking Lot – not proposed for signage

SIGN TYPE AND LOCATION	FRONTAGE DESIGNATION SIGN LIMITATIONS/RESTRICTIONS
Wall Signs Major Tenants Primary Location A1 and A2;	East Coast Highway – 50 ft fascia frontage element <u>Maximum Area of 70 sq ft.</u> Maximum vertical dimension, sign or logos, 2 feet- 9 1/2 inches in height. Minimum distance shall be 20 linear feet from the nearest sign on the adjoining fascia. Only major tenants may have a maximum of two signs, one each in the A or B elevation/location.
Wall Signs Major Tenants Secondary Location B1 and B2	East Coast Highway – 80 ft fascia frontage element <u>Maximum Area of 50 sq ft.</u> Maximum vertical dimension, sign or logos, 2 feet- 9 1/2 inches in height. Minimum distance shall be 20 linear feet from the nearest sign on the adjoining fascia. Only major tenants may have a maximum of two signs, one each in the A or B elevation/location.
Wall Signs Minor Tenants C1, C2, D1 and D2	East Coast Highway – 20 ft fascia frontage element <u>Maximum Area of 30 sq ft.</u> Maximum vertical dimension, sign or logos, 2 feet- 9 1/2 inches in height. Minimum distance shall be 20 linear feet from the nearest sign on the adjoining fascia. Maximum of one sign for each minor tenant.
Wall Signs Minor Tenants E1 and E2	Avocado Avenue – 20 ft fascia frontage element 1.5 square feet/linear foot of fascia frontage or <u>max area of 30 sq ft.</u> Maximum vertical dimension, sign or logos, 2 feet- 9 1/2 inches in height. Minimum distance shall be 20 linear feet from the nearest sign on the adjoining fascia. Maximum of one sign for each minor tenant.
Monument Sign- Q Project Identification and Tenant Directory	East Coast Highway Existing 4-foot 6-inch tall by 23-feet 6-inches long Internally or externally illuminated. Opaque background per sign panel with letters illuminated or halo-illuminated only. Illuminated panel blank space background is prohibited.
All window and other exempt signs in accordance with Chapter 20.67	All building elevations Removal of all signs (including window signs) in excess of the total allowance as necessary.

G. MINOR & MAJOR TENANT SIGNABLE LOCATIONS



APPROVED BY:

[Signature]

- | | |
|--|--|
| <input type="checkbox"/> Planning Director | <input checked="" type="checkbox"/> Zoning Administrator |
| <input type="checkbox"/> Planning Commission | <input type="checkbox"/> City Council |
| <input type="checkbox"/> As Submitted | <input type="checkbox"/> As Modified |

Refer to: ☐ Resolution ☒ Approval Letter

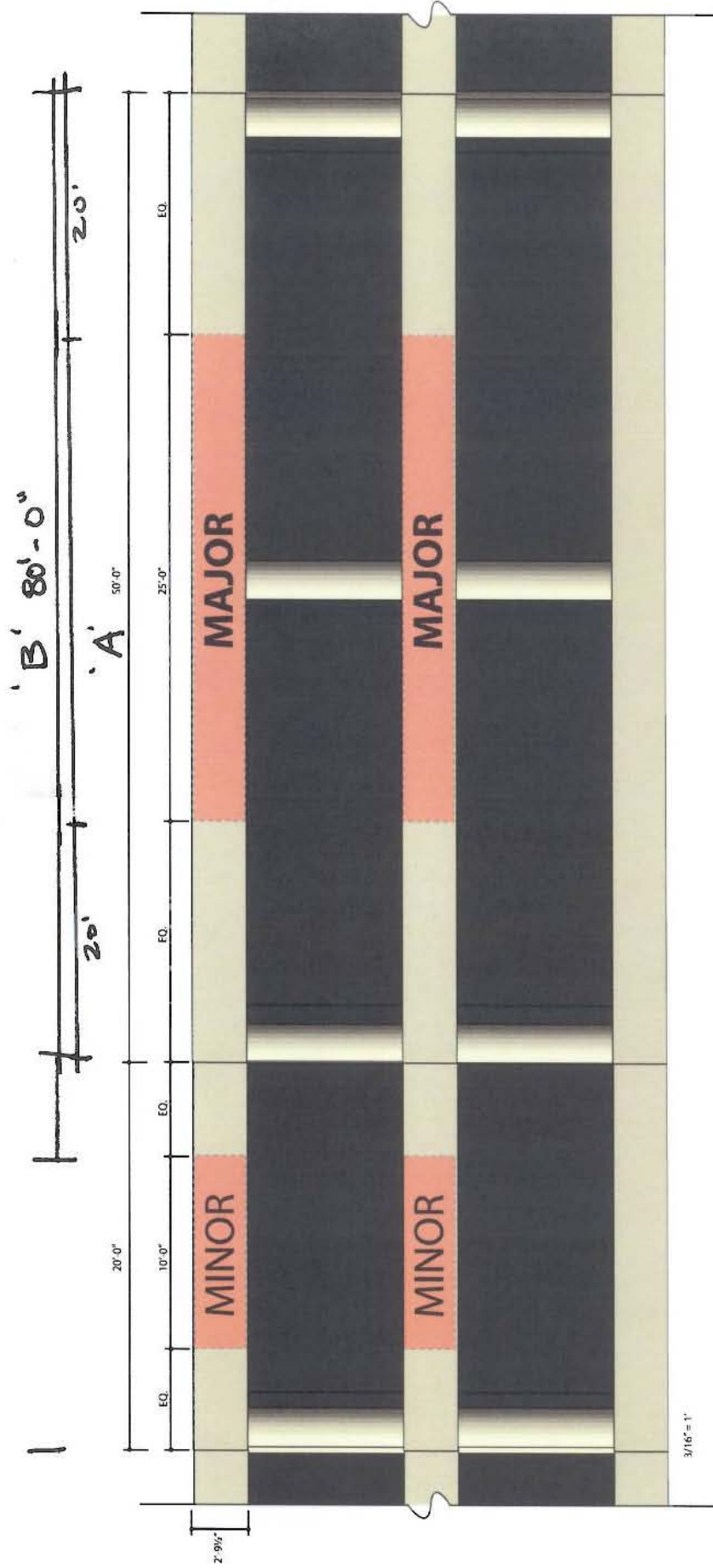
of Pgs Approved: 4 Date: 6 / 15 / 07

Site Plan

CAREYSIGN
CORPORATION
2011 BULFORD STREET • SAN FRANCISCO, CA 94107
PHONE: 774.225.5100 • FAX: 774.225.5101
www.careysign.com

A-1

G. MINOR & MAJOR TENANT SIGNABLE LOCATIONS (Cont)



H. MINOR & MAJOR TENANT SIGN PREFERRED SIGN TYPES



H
01.01 Single line "Halo" style letters
SCALE: 1" = 1'



H
01.02 Single line face lit letters
SCALE: 1" = 1'

The sign program encourages the use of black or dark bronze duranodic reverse channel halo type lettering illuminated with 6500 white or LED lighting on the required size raceway painted to match the current building color.

For front illuminating type letters, white acrylic with 3m Dual Color "Black" 3635-222 or its equivalent is strongly encouraged.

Other letter styles, color and lighting types may be acceptable with approval from landlord, but the raceway in section H is required for all sign types and all signs must follow minimum clear space requirements for halo and stacked lettering type signs.



H
01.03 All stacked copy signs
SCALE: 1" = 1'



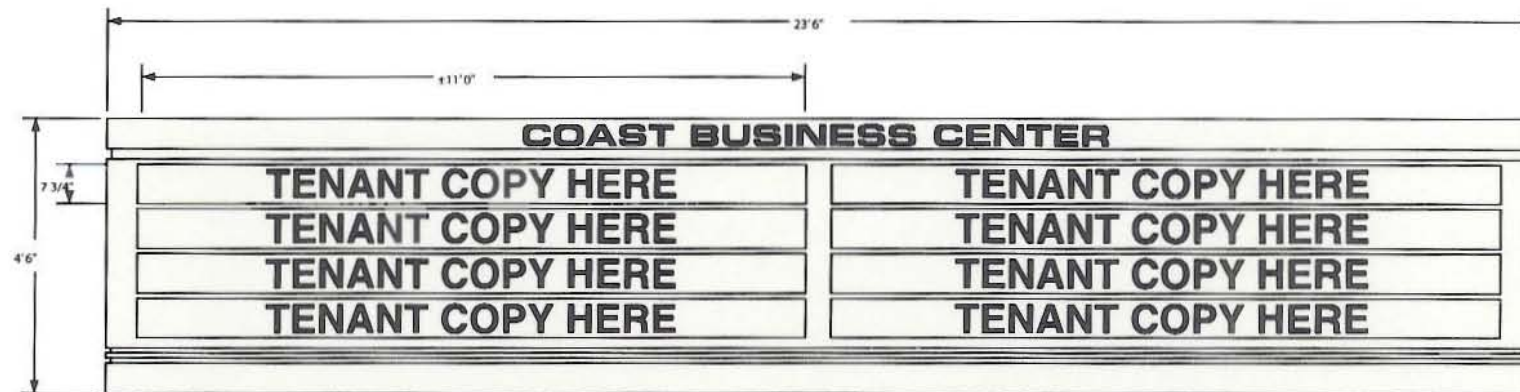
I. PRIMARY SITE IDENTIFICATION MONUMENT

All tenants allotted a slot in their lease agreement on the primary site identification monument are required to maintain their listing.

Lettering: 6" Tall x 3/4" Thick painted to match Pantone Black C, centered horizontally and vertically on substrate background

Font: Helvetica -Medium (Helvetica Medium Condensed as required.)

Substrate: .187" Thick substrate with counter sunk screws. Painted to match existing color of monument.



I Primary Site ID Sign
01.01 SCALE: 1/2" = 1'



CAREYSIGN
CORPORATION

2671 BLUE STAR STREET • SHANAHAN, CA 95068
TEL: 925.435.8115 • FAX: 925.435.8116
WWW.CAREYSIGN.COM

A-4

Attachment No. PC 7

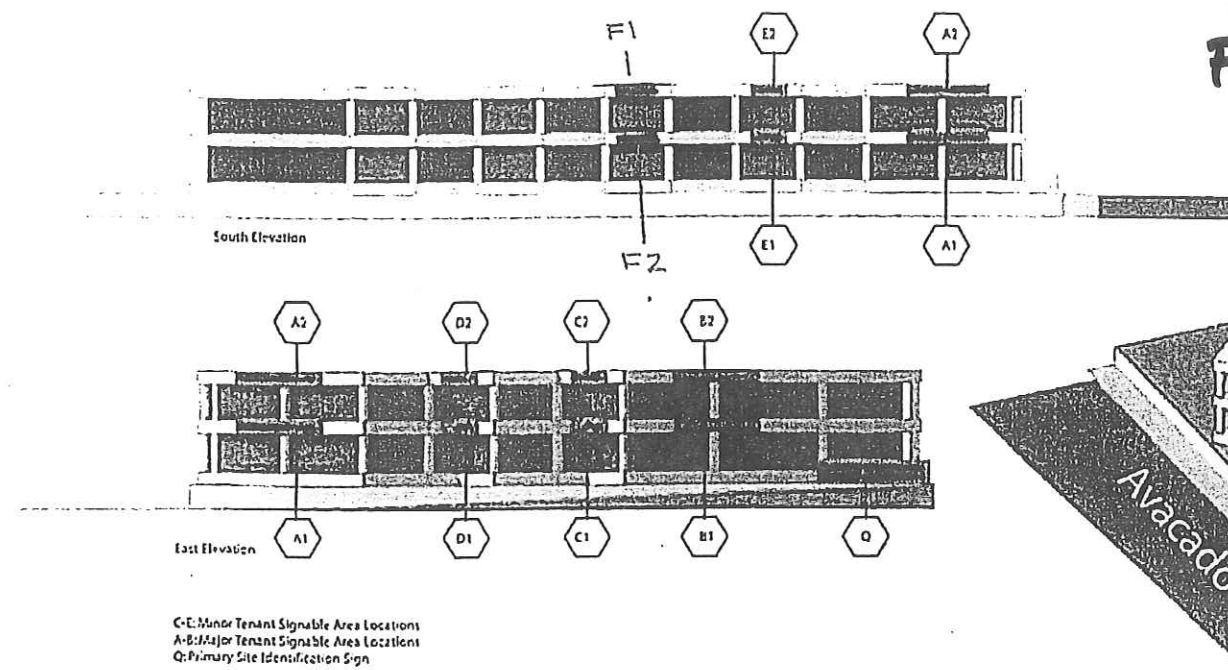
Proposed Sign Program Matrix and
Building Elevation Exhibit

SIGN PROGRAM MATRIX

SIGN TYPE AND LOCATION	FRONTAGE DESIGNATION SIGN LIMITATIONS/RESTRICTIONS
Wall Signs Major Tenants Primary Location A1 and A2;	East Coast Highway – 50 ft fascia frontage element <u>Maximum Area of 70 sq ft.</u> Maximum vertical dimension, sign or logos, 2 feet- 9 1/2 inches in height. Minimum distance shall be 20 linear feet from the nearest sign on the adjoining fascia. Only major tenants may have a maximum of two signs, one each in the A or B elevation/location.
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Wall Signs Minor Tenants C1, C2, D1 and D2	East Coast Highway – 20 ft fascia frontage element <u>Maximum Area of 30 sq ft.</u> Maximum vertical dimension, sign or logos, 2 feet- 9 1/2 inches in height. Minimum distance shall be 20 linear feet from the nearest sign on the adjoining fascia. Maximum of one sign for each minor tenant.
Wall Signs Minor Tenants E1, E2, F1*, and F2*	Avocado Avenue – 20 ft fascia frontage element <u>1.5 square feet/linear foot of fascia frontage or max area of 30 sq ft.</u> Maximum vertical dimension, sign or logos, 2 feet- 9 1/2 inches in height. Minimum distance shall be 20 linear feet from the nearest sign on the adjoining fascia. Maximum of one sign for each minor tenant.
Monument Sign Project Identification and Tenant Directory	East Coast Highway Existing 4-foot 6-inch tall by 23-feet 6-inches long Internally or externally illuminated. Opaque background per sign panel with letters illuminated or halo-illuminated only. Illuminated panel blank space background is prohibited.
All window and other exempt signs in accordance with Chapter 20.67	All building elevations Removal of all signs (including window signs) in excess of the total allowance as necessary.

NOTE: All proposed signs shall also be in conformance with the approved plans, Comprehensive Sign Program No. CS2007-002 and Modification Permit No. MD2012-001, approved June 7, 2012, and provisions of Chapter 20.42 of the Newport Beach Municipal Code, unless otherwise indicated. *Signs denoted with an asterisk were added with approval of the Modification Permit.

G. MINOR & MAJOR TENANT SIGNABLE LOCATIONS



F - ADDITIONAL MINOR TENANT SIGNABLE AREA LOCATIONS

F1:
AND
F2

LOCATION OF
PROPOSED SIGNS

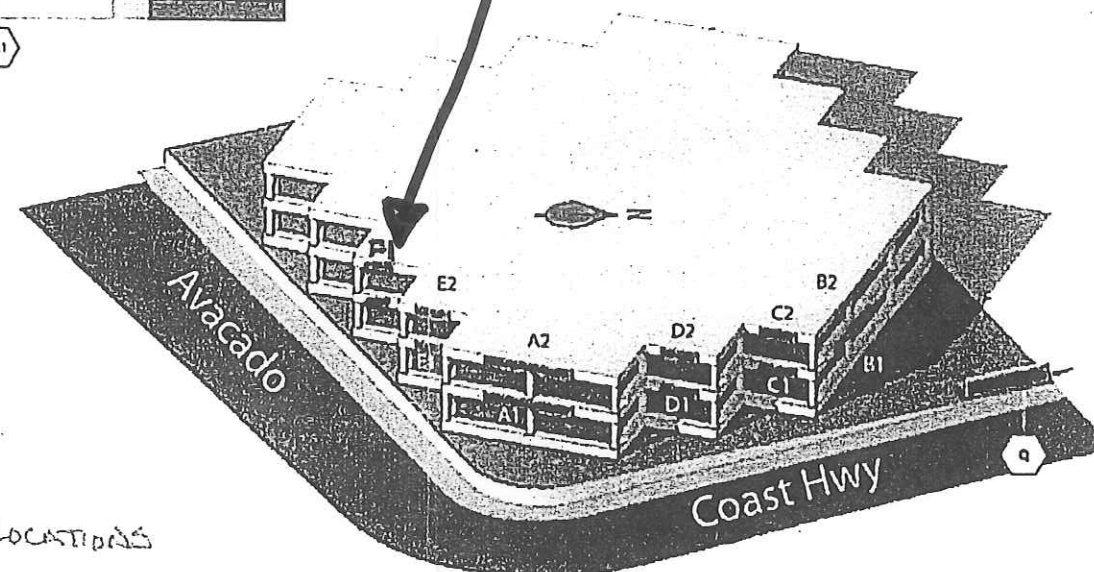
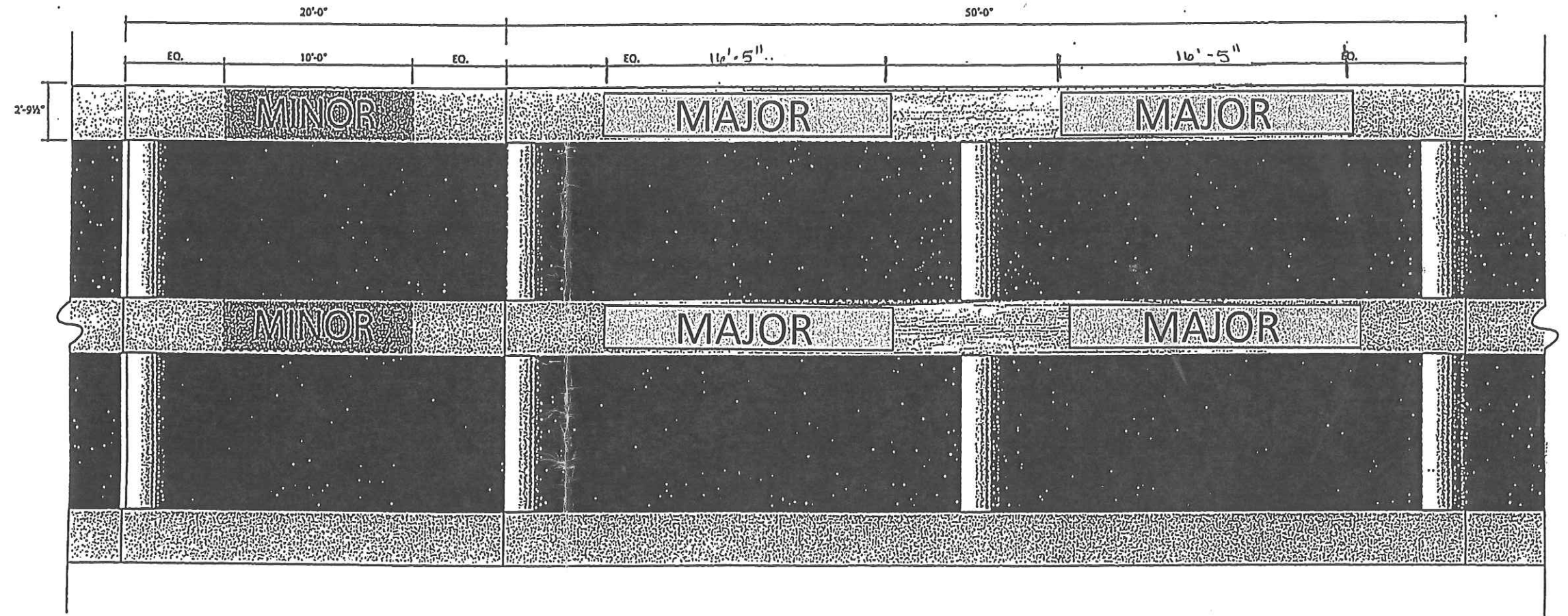


EXHIBIT B

G. MINOR & MAJOR TENANT SIGNABLE LOCATIONS (Cont)



Correspondence

Item No. 3a

Coast Business Center Sign Program

PA2012-010

RECEIVED BY
COMMUNITY

JUN 07 2012

DEVELOPMENT
CITY OF NEWPORT BEACH

June 5, 2012

City of Newport Beach
Mr. Gregg Ramirez of the Planning Commission
3300 Newport Blvd
Newport Beach, CA 92662

RE: Project file No. PA 2012-010
Zone: OG
Location: 2121 E. Coast Hwy
Activity No: Md2012-004 and CS2007-002
General Plan: CO-G
Applicant: Coast Business Center

Dear Mr. Ramirez:

I object to this proposal of adding more signs on Avocado Avenue for the following reasons:

The signs will contribute to the denigration of the neighborhood feel of our community and lessen the residential nature of Avocado Avenue in Corona del Mar.

The signs cause "light pollution" for us at night and make our neighborhood look like Las Vegas. This is a residential neighborhood with an office building unit, not a commercial zone with a few homes. We already put up with the extra traffic of a gym, doctors offices, ATM and bank as well as shredding trucks for the bank and daily commercial trash collections.

Please for once consider the residents of our neighborhood, as we struggle to keep the community feel of Avocado Avenue, Irvine Terrace and Corona del Mar.

Sincerely,

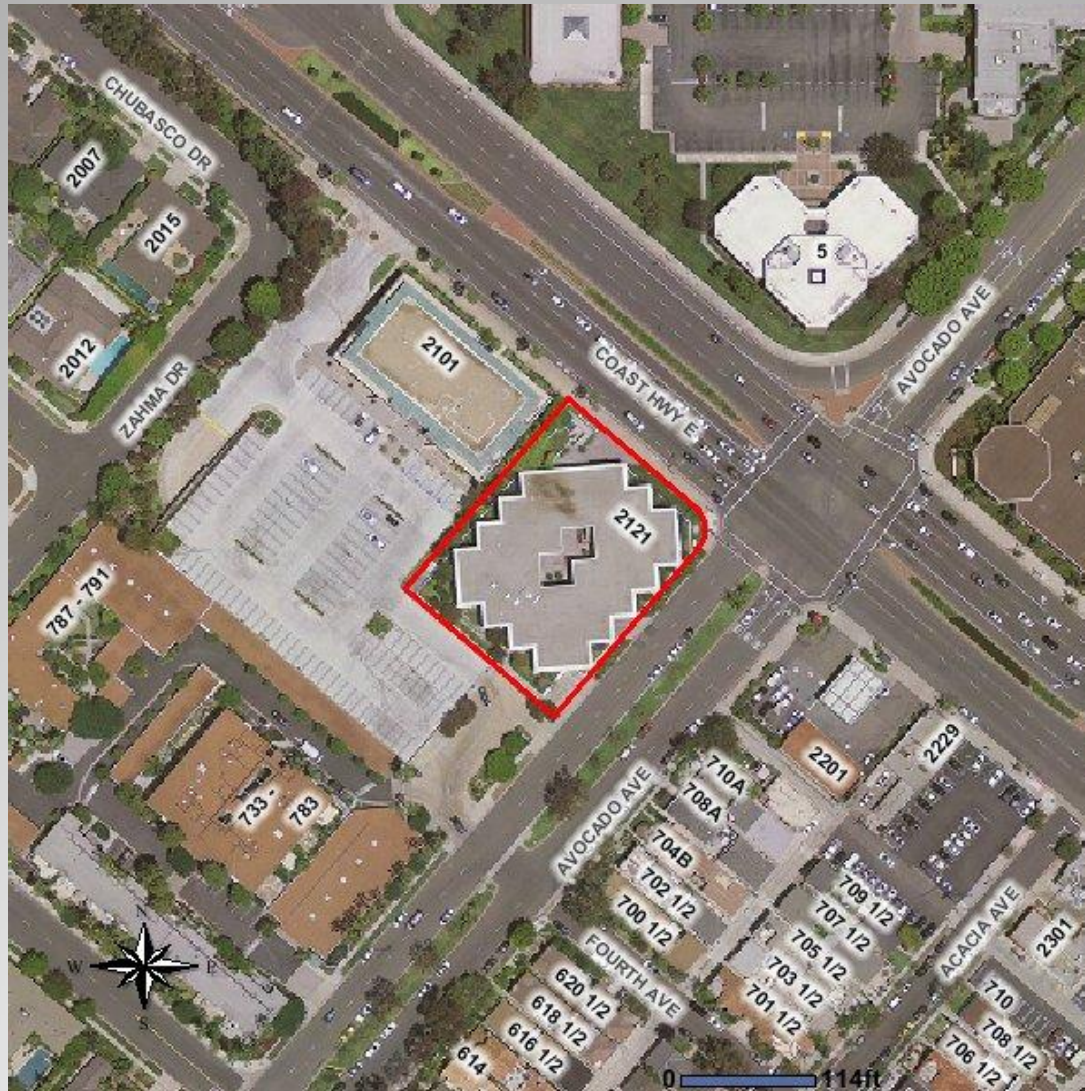


Donna Kendall



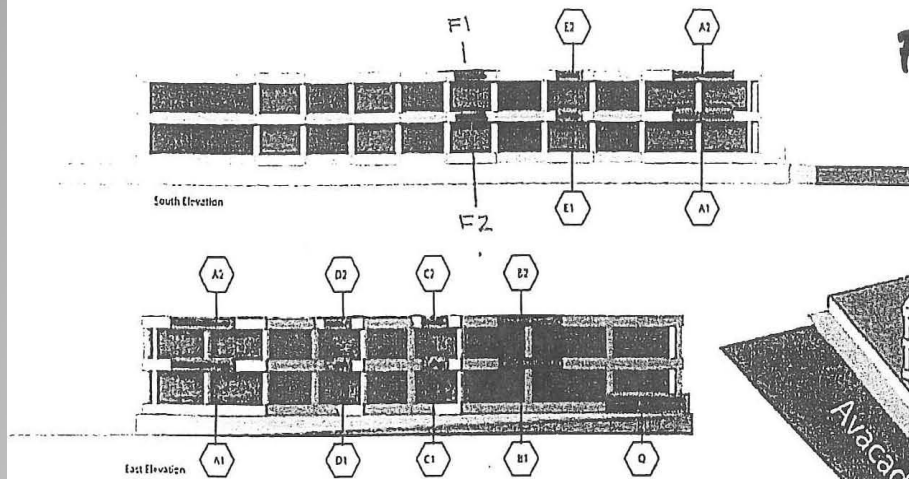
Planning Commission June 7, 2012

**Coast Business Center Sign Program
(PA2012-012)**



Vicinity Map

G. MINOR & MAJOR TENANT SIGNABLE LOCATIONS

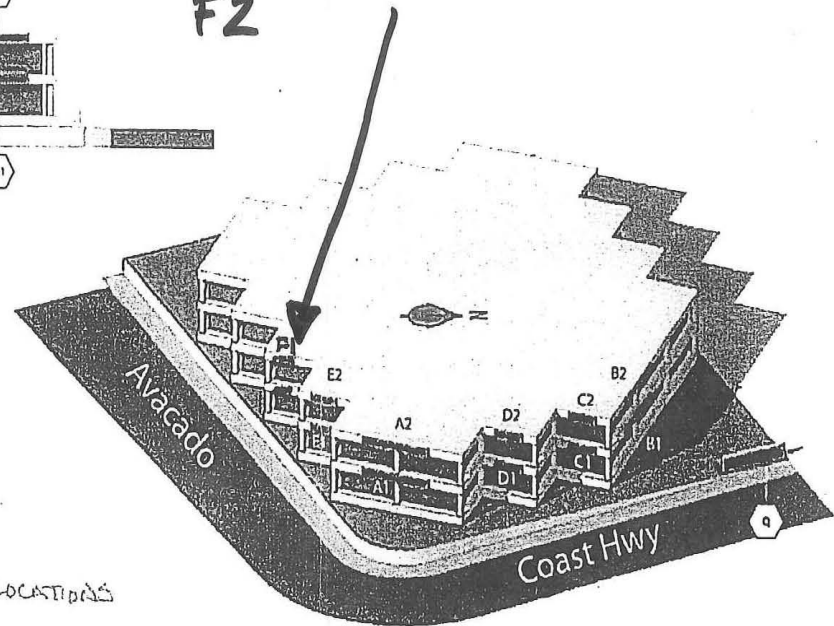


C-E Minor Tenant Signable Area Locations
 A-B Major Tenant Signable Area Locations
 Q Primary Site Identification Sign

F - ADDITIONAL MINOR TENANT SIGNABLE AREA LOCATIONS

F1:
AND
F2

LOCATION OF
PROPOSED SIGNS





2121 East Coast Highway



Avocado View



East Coast Highway View

- END

G. MINOR & MAJOR TENANT SIGNABLE LOCATIONS (Cont)

